

(ii) 13. The cooler as claimed in claim 11, wherein said radial impeller further comprises a magnetic shroud.

(iii) 16. The cooler as claimed in claim 1, wherein a side part of the casing being made as at least three elements like pillars, located at distances one from another forming several outlets of said blower.

#### 4. CLAIM REJECTION - 35 USC § 103.

Both prior arts, the Japanese reference and Smith et al., cited by the Examiner, disclose the coolers when radial blowers used with heatsinks. But, again, according to our specification (see paragraph [00010]), the cooler by the Japanese reference requires more space than cooler according to our invention.

As regards to Smith et al., we would like to note the following.

First, this cooler realizes the different and less aerodynamic and thermal efficient schemes. Cooling air flows through the blower inlet, the enclosure 12 with the sidewall 86e, heatsink and ambient in series way. But, it is evident, that there are sufficient hydraulic losses when air moves through the enclosure 12 (air flow swirls and turns), thus significantly decrease the total amount of cooling air.

Secondly, the enclosure 12 with the sidewall 86e increases visibly the side dimension of the cooler. And, thirdly, the magnetic means 70 are increasing also the vertical dimension of the cooler.

We agree with the Examiner statement that “While Smith et al. show the circuit board 82 with stator elements 84 on the same side of the impeller as the heat sink 22, one would not be motivated to put a circuit board with stator elements on the opposite side of the impeller as required in claims 10 and 14, since the Smith et al. magnet 70 is only taught as being embedded in the impeller disk, which is located adjacent the heatsink.”

However, according to our first note above, the placement of the stator adjacent the heatsink in a way shown by Smith et al. can not provide more effective aerodynamic and thermal schemes.

The novelty of our design is in the difference of aerodynamic scheme. According to Smith et al. the cooling air flows from the blower to the heatsink, while according to our

Patent Application the cooling air flows vice versa - from the heatsink to the radial blower. Thus, the proposed invention has essential novelties and provides more aerodynamic and thermal efficiency.

Therefore, we would like to ask you to reconsider the rejection of claims 1 - 4, 7, 9, 11 - 12 and 17 under 35 U.S.C.103(a) as being unpatentable over Japanese Patent Application Laid-open JP 8-195456 in view of the United States Patent No. 5,995,367. and kindly ask you for further consideration of our Patent Application.

Please find attached Statement Under 37 CFR 3. 73(b) and a copy of Assignment.

Best regards,

A handwritten signature in black ink, appearing to read 'Edward Lopatinsky', written over a horizontal line.

Edward Lopatinsky  
Vice-President

PS. ROTYS Inc. has changed address to:  
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Enclosed:

1. Corrected drawing set - 9 pgs.;
2. Statement under 37 CFR 3.73(b) (Form PTO/SB/96 - 1 pg.;
3. Copy of Assignment - 2 pgs.